

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

James G. Turner - EL,
Plaintiff,

-V-

Roger Walker Jr., et al.,
Defendants.

FILED

JUN 12 2008 *adw*
6-12-2008
MICHAEL W. DOBBS
CLERK, U.S. DISTRICT COURT

No. 08 CV 2742

The Honorable(s)
James B. Zagel / U.S. Judge,
Magistrate Judge Cole.

EMERGENCY

MOTION FOR AN ORDER DIRECTING DEFENDANT WARDEN
TO PERMIT PLAINTIFF TO CALL FAMILY TO PAY
FILING FEES *

COME NOW, the plaintiff James G. Turner - EL, Pro Se, pursuant this Honorable Court's Order of May 22, 2008, and respectfully move this Court in Emergency for an Order Commanding defendant Warden Hulick to permit him to call his family so filing fees can be paid timely. Or, alternatively, for an Extension of Time.

IN SUPPORT, plaintiff states:

1. Plaintiff is a prisoner in the custody of defendants at Menard Correctional Center of the Illinois Department of Corrections confined to Disciplinary Segregation Unit,
2. As such, plaintiff has no way to contact his family except by writing them and unknown Correctional Guards are tampering with his legal/personal mail,
3. So long as plaintiff says nothing about lawsuits. paying

*/ Or, alternatively, For An Extension of Time

filing fees and the like, his mail goes out, but any correspondence he sends out about paying filing fees will never leave the prison; because, defendant(s) know he's suing them and if his family pays the filing fee timely action will remain pending. But, if not paid complaint will be dismissed,

4. Accordingly, plaintiff needs a phone call to his family in order for him to make compliance with this Court's 5/22/08 Court Order to pay filing fees within 30 days. Or, in the alternative, enter an Order granting him an extension of time to pay filing fees, to and including July 22, 2008.

5. Plaintiff has attached his sworn affidavit hereto.

WHEREFORE, plaintiff pray this Honorable Court enter Order(s) either directing Warden Nulick afford him a phone-call or, alternatively, an extension of time to pay filing fees.

Respectfully submitted,

James S. Turner *JP*
 James G. Turner-EL
 #N-01161
 M.C.C.
 P.O. Box 711
 Menard, IL 62259

STATE OF ILLINOIS)

) SS

COUNTY OF RANDOLPH)**AFFIDAVIT**

I, James G. Turner. EL being first duly sworn upon my oath depose and state that the following matters are both true and correct made upon personal knowledge and belief, and if called as a witness, I am competent to testify thereto: 1) That I am a prisoner in the custody of the Illinois Department of Corrections ("IDOC") at the Menard Correctional Center ("Menard") confined to Unit North II Disciplinary/Segregation Unit.

2) While so situated only way I have contact with my family, is when they visit, or, send him personal mail. However, for years now, whenever I mention anything in my letters to my family of them paying filing fees, my family never receives those letters so my personal mail is being tampered with.

3) Additionally, most of my legal documents forwarded to the Illinois Supreme Court and Sangamon County Court in Springfield, Illinois, is never reaching its destination, plus, money vouchers for postage is not being returned, so my legal mail is being tampered with also.

4) Recently, my brother in law wrote advising he and my sister would be visiting later during the summer (see letter attached)

5) Due to my segregation confinement I cannot make a call except by an Order of this Court, plus, I can't expect my family to visit so that I can alert them to pay filing fees until later during summer months.

6) If unknown guards wouldn't tamper with my legal/personal mail I could write my family and advise they pay filing fee, but, guards are tampering, so trying to get my family to pay filing fees through writing them letters, won't work.

Affidavit (continued) Page 2 of 2

7) The only way I can be assured my family knows to pay filing fees, if they visit or I'm allowed to make a phone call.

8) As such, I pray this court grant a phone call or an extension of time to pay filing fees.

9) That further I sayeth not.

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/1-109, I declare, under penalty of perjury, that everything contained herein is true and accurate to the best of my knowledge and belief. I do declare and affirm that the matter at hand is not taken either frivolously or maliciously and that I believe the foregoing matter is taken in good faith.

Signed on this 30th day of May, 2008.

James M. I AP
Affiant

913 WHITE OAK LANE
UNIVERSITY PARK, IL 60466

MAY 10, 2008

JACKIE,

WE RECEIVED YOUR LETTER TWO DAYS AGO
AND WE ARE GLAD THAT YOU ARE OK.

EVERYONE HERE IS DOING OK AND WE
WILL TRY TO VISIT YOU BEFORE THE SUMMER
IS OVER.

JACKIE, CAN'T YOU REQUEST A TRANSFER TO
GET CLOSER TO US. AS YOU KNOW IT IS
DIFFICULT GETTING TO YOU.

LAST YEAR WHEN WE VISIT YOU I WAS ALREADY
IN SPRINGFIELD FOR A CONFERENCE WITH THE
FIVE & POLICE COMMISSION.

JACKIE TAKE CARE OF YOURSELF AND WE
PLAN TO SEE YOU THIS SUMMER.

Mitch

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

James G. Turner, et al.,

Plaintiff,

v.

Roger Walker, Jr., et al.,

Defendant

Case No. 08 CV 2742

PROOF/CERTIFICATE OF SERVICE

TO: M. W. Dobbins/Clerk
U.S. District Court
219 S. Dearborn St.
Chicago, IL 60604

TO: _____

TO: _____

TO: _____

PLEASE TAKE NOTICE that on June 6, 2008, I have placed the documents listed below in the institutional mail at Monard Correctional Center, properly addressed to the parties listed above for mailing through the United States Postal Service: _____

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/1-109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 6/6/08

/s/ James H. [Signature] EP
NAME: James G. Turner, et al.
IDOC#: N-01161
Monard Correctional Center
P.O. BOX 74
Chester, IL 62259